

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**LATOYA BROWN, ET AL.**

**PLAINTIFFS**

**V.**

**CIVIL ACTION NO. 3:17-cv-347-WHB-LRA**

**MADISON COUNTY, MISSISSIPPI, ET AL.**

**DEFENDANTS**

---

**MOTION TO QUASH SUBPOENA DUCES TECUM TO  
PRODUCE DOCUMENTS, INFORMATION OR OBJECTS OR  
TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

---

COMES NOW, Town of Flora Police Department, pursuant to Federal Rule of Civil Procedure 45 (d)(3)(A) and for good cause shown, respectfully requests that the Subpoena Duces Tecum to Produce Documents, Information or Objects or to Permit Inspection of Premises in a Civil Action (“Subpoena”) [Docket No. 69], served on it in the above styled matter be quashed. In support of its Motion to Quash, the Town of Flora Police Department states as follows:

1. The Town of Flora Police Department was served with the Subpoena on October 26, 2017, summoning it to produce documents, on November 8, 2017 at 9:00 a.m.
2. The Subpoena is overly broad and unduly burdensome. Specifically, the Subpoena requests that the Town of Flora Police Department produce numerous documents but does not indicate a specific time period for which the documents are sought. Without any time limitation, the Subpoena in its present format requests all documents that have *ever* existed regarding the subject matter of each specific request, *i.e.*, all documents concerning “vehicular roadblocks,” “crime data, crime statistics and/or crime rates for the municipality of Flora,” “persons stopped, detained, frisked, searched, cited, and/or arrested by the MCSD in the

municipality of Flora”. The time period covered by the Subpoena must be tailored to correspond to specific information that is relevant to the subject lawsuit.

3. Additionally, many of the documents requested, to the extent they exist, are not in any readily available format and would require the Town of Flora Police Department to expend an inordinate amount of time attempting to locate such documents and produce them. Such request places an undue burden, hardship and expense on the Town of Flora Police Department.

4. Notwithstanding the foregoing, the undersigned counsel contacted counsel who issued the Subpoena in a good faith attempt to narrow the time and scope of the documents requested by the Subpoena. A resolution regarding same has not been reached. In the event of a resolution, the Town of Flora Police Department will promptly withdraw its Motion to Quash.

5. Due to the nature of this Motion to Quash, the Town of Flora Police Department respectfully requests that any requirement of a separate Memorandum of Authorities in support of said Motion be waived.

WHEREFORE, the Town of Flora Police Department respectfully requests that the Subpoena served on it in the above styled matter on October 26, 2017 be quashed.

Respectfully submitted, this the 7<sup>th</sup> day of November, 2017.

TOWN OF FLORA POLICE DEPARTMENT

s/WILLIAM I. GAULT, JR.

**OF COUNSEL:**

William I. Gault, Jr., Esq. (MSB #4774)  
Nippes, Healy & Gault, PLLC  
6360 I-55 North, Suite 350  
Jackson, Mississippi 39211  
Post Office Box 12314  
Jackson, Mississippi 39236

Telephone: (601) 983-2255  
Facsimile: (601) 510-8050  
[bgault@billgaultlaw.com](mailto:bgault@billgaultlaw.com)

### **CERTIFICATE OF SERVICE**

I, William I. Gault, Jr., hereby certify that I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Yukiu Chan  
[monica.chan@stblaw.com](mailto:monica.chan@stblaw.com)

Nihara Karim Choudhri  
[nchoudhri@stblaw.com](mailto:nchoudhri@stblaw.com)

Charles E. Cowan  
[cec@wisecarter.com](mailto:cec@wisecarter.com)  
[ppm@wisecarter.com](mailto:ppm@wisecarter.com)

Rebecca B. Cowan  
[bcowan@curriejohnson.com](mailto:bcowan@curriejohnson.com)  
[harris@curriejohnson.com](mailto:harris@curriejohnson.com)  
[tham@curriejohnson.com](mailto:tham@curriejohnson.com)

Ezekiel Edwards  
[eedwards@aclu.org](mailto:eedwards@aclu.org), [mthomas@aclu.org](mailto:mthomas@aclu.org)

Janet Gochman  
[jgochman@stblaw.com](mailto:jgochman@stblaw.com)

James Earl Graves , III  
[jeg@wisecarter.com](mailto:jeg@wisecarter.com)  
[rej@wisecarter.com](mailto:rej@wisecarter.com)

T. Russell Nobile  
[trn@wisecarter.com](mailto:trn@wisecarter.com)  
[lmv@wisecarter.com](mailto:lmv@wisecarter.com)  
[cv@wisecarter.com](mailto:cv@wisecarter.com)

Isaac Rethy  
[irethy@stblaw.com](mailto:irethy@stblaw.com)  
[managingclerk@stblaw.com](mailto:managingclerk@stblaw.com)

Charles E. Ross  
[cer@wisecarter.com](mailto:cer@wisecarter.com)  
[drd@wisecarter.com](mailto:drd@wisecarter.com)  
[dbr@wisecarter.com](mailto:dbr@wisecarter.com)

Kavitha Satya Sivashanker  
[kavitha.sivashanker@stblaw.com](mailto:kavitha.sivashanker@stblaw.com)

Katherine Bryant Snell  
[katie@katiebryantsnell.com](mailto:katie@katiebryantsnell.com)

Joshua F. Tom  
[jtom@aclu-ms.org](mailto:jtom@aclu-ms.org)  
[joshuaftom@gmail.com](mailto:joshuaftom@gmail.com)

Michael B. Wallace  
[mbw@wisecarter.com](mailto:mbw@wisecarter.com)  
[mkp@wisecarter.com](mailto:mkp@wisecarter.com)

Paloma Wu  
[pwu@aclu-ms.org](mailto:pwu@aclu-ms.org), [razawu@gmail.com](mailto:razawu@gmail.com)  
[jmorgan@aclu-ms.org](mailto:jmorgan@aclu-ms.org)

Jonathan Youngwood  
[jyoungwood@stblaw.com](mailto:jyoungwood@stblaw.com)

THIS, this the 7<sup>th</sup> day of November, 2017.

s/WILLIAM I. GAULT, JR.